

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KRISTIN HARDY,
Plaintiff,
v.
R. MORENO, et al.,
Defendant

Case No. 1:21-cv-00327-ADA-EPG (PC)

**ORDER GRANTING PLAINTIFF'S MOTION
TO MODIFY SCHEDULING ORDER**

(ECF No. 75)

Kristin Hardy (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983.

On August 31, 2022, Plaintiff filed a motion to modify the scheduling order. (ECF No. 75). In particular, Plaintiff asks the Court to extend the deadline for filing motions to compel further discovery responses from October 21, 2022, to December 5, 2022. Plaintiff states that he has served admissions, interrogatories, and document production requests. Plaintiff alleges that, thus far, the responses he has received are incomplete or evasive. Defendants have asserted lengthy objections with citations, and Plaintiff will need time to research and study the objections and citations. This will require law library access, and there have been issues with accessing the law library in a timely fashion. Plaintiff is overwhelmed and does not have the time and resources to produce and serve his own discovery requests, respond to Defendants' request for discovery, and also file motions to compel by the current deadline.

While Defendants do not admit that their responses to Plaintiff's discovery requests are incomplete or evasive, Defendants do not oppose Plaintiff's motion. (ECF No. 78).

The Court finds good cause to grant Plaintiff's motion.

Accordingly, IT IS HEREBY ORDERED that motions to compel further discovery responses shall be filed on or before December 5, 2022. The responding party may file a response to the motion no later than twenty-one days from the date the motion is filed.

All other terms and conditions of the Scheduling Order remain in full force and effect.

IT IS SO ORDERED.

Dated: **September 6, 2022**

/s/ Eric P. Groij
UNITED STATES MAGISTRATE JUDGE